

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ENRIQUE ZAMARRIPA,)	
)	
Plaintiff,)	
vs.)	No. 3:16-CV-3109-S-BH
)	
FARRAKHAN, et al.,)	
)	
Defendants.)	Referred to U.S. Magistrate Judge

ORDER TO SHOW CAUSE

By order of reference dated August 3, 2018, this case was referred for full case management.

The plaintiff filed this action against the defendants on November 7, 2016, and summonses were issued on that same date. (docs. 1, 3.) The motions to dismiss all claims against the defendants who appeared have been granted, and the plaintiff voluntarily dismissed his claims against two unserved defendants. (docs. 63, 65, 82.) Five remaining defendants have not appeared or filed responsive pleadings. Currently pending is a motion for entry of default judgment against one of those five defendants, i.e., Deray McKesson. (doc. 89.) Although the plaintiff filed returns of service for the other four, Black Lives Matter, Opal Tometi, Patricee Cullors, and New Black Panthers Party, (docs. 41, 56), he has not sought entry of default against them, and it is not clear that he has effectively served the two defendant entities. *See Klaymen et al. v. Obama et al.*, 255 F. Supp. 3d 648, 667-668 (N.D. Tex. June 2, 2017) (finding that same form of service on Black Lives Matter as in this case was defective, that form of service on New Black Panthers Party was improper, and dismissing claims against both under Fed. R. Civ. P. 4(m)).

No later than 5:00 p.m. on Friday, August 24, 2018, the plaintiff must (1) file a brief describing in detail how the service effected on Black Lives Matter, Opal Tometi, Patricee Cullors, and New Black Panthers Party complies with Fed. R. Civ. P. 4, (2) show good cause in writing why

he has not moved for entry of default and for final default judgment against them, and (3) show good cause in writing why the claims against them should not be dismissed for failing to effect service. If the plaintiff fails to comply with this order, dismissal of this case against these four defendants will be recommended without further notice.

SO ORDERED on this 15th day of August, 2018.


IRMA CARRILLO RAMIREZ
UNITED STATES MAGISTRATE JUDGE